

USSN 09/596,402
Group Art Unit: 3762
Docket No. 151P09399US01

REMARKS

Claims 1 – 8 and 9 – 22 are pending in this application. Claim 1 has been amended. Claims 18 – 21 have been rewritten in independent form. Claims 23 – 25 have been canceled, without prejudice. Claims 23 – 45 were previously canceled.

Claim 1 has been amended to delete the phrase “generally planar” applying to the magnetic shield. This part of the amendment reverts this part of the claim to its condition prior to the April 7, 2003 amendment. Hence, no new matter has been added.

Claim 1 has also been amended to delete the phrase “generally planar” applying to perpendicular to an axis of the recharging coil and to substitute the word “approximately.” No new matter has been added. It can be seen from the drawings that the shield is approximately perpendicular to an axis of the recharging coil. Since the drawings can not be constructed perfectly, the shield is approximately perpendicular, not exactly perpendicular. Thus, support for the term “approximately” is found in the drawings.

Claim 1 has also been amended to insert the word “being” referring to the location of the recharging coil for clarity. No new matter has been added.

Rejections Under 35 USC § 112

Claims 1 – 8 have been rejected under 35 USC § 112, first paragraph, for written description and second paragraph, for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In addition, claims 10 – 25 have been rejected on similar grounds and also under 35 USC § 112, first paragraph, enablement.

These rejections are respectfully traversed over the claims as amended.

Independent claim 1 has been amended to delete the objectionable language of “generally planar” as it applies to the magnetic shield. Elimination of this phrase should cure the Examiner’s objection to the phrase as containing new matter, failing to comply with the enablement requirement and rendering the claim indefinite.

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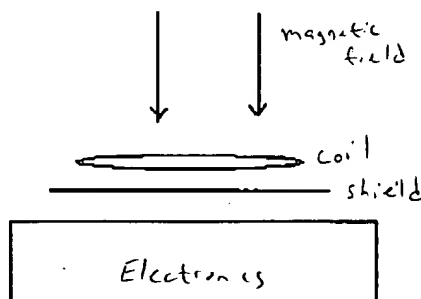
Independent claim 1 has also been amended to delete the objectionable word "generally" as it applies to the perpendicularity of the shield and an axis of the recharging coil. Elimination of this phrase should cure the Examiner's objection to the phrase as containing new matter, failing to comply with the enablement requirement and rendering the claim indefinite.

Claims 2 - 22 are all dependent upon claim 1. With the amendment of claim 1, none of these claims contain the phrase "generally planar" nor the word "generally" and, hence, should no longer be rejectable under 35 USC § 112.

Rejections Under 35 USC § 102 and 35 USC § 103 over Kelly '955

Claims 1 - 8, 10 - 17 and 22 have been rejected over Kelly '955 (claim 12 also in view of Schulman '474). These rejections, over the claims as amended, are respectfully traversed.

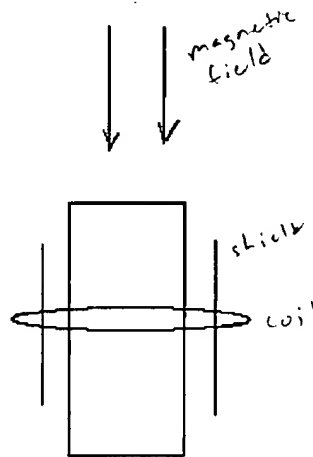
A simplified illustration of the orientation of the electronics, represented by a rectangular box, a magnetic shield, represented by a straight line, the coil, represented by an oval, and the incoming magnetic field, represented by the arrows, of the present invention is presented below.



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As can be seen in the illustration, the axis of the coil is approximately perpendicular to the shield and the shield is positioned between the coil and the electronics.

A simplified illustration of the electronics, magnetic shield, coil and incoming magnetic field, similarly represented, in accordance with the teaching of Kelly '955 is presented below.



As can be seen in the illustration that the axis of the coil in Kelly '955 is parallel to, not perpendicular to, the shield. This is in direct contrast to the statement in claim 1 of the present invention of "approximately perpendicular to."

Further, it can be seen in the illustration that shield in Kelly '955 is wrapped around the magnetic shield. The "magnetic shield" in Kelly '955 is not a shield at all, but merely functions as a collector of flux to the coil. The "magnetic shield" in Kelly '955

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can not act as a shield for the electronics because it is not located between the coil and the electronics. In contrast, claim 1 of the present invention states that the "shield being located between the recharging coil and the electronics.

Thus, Kelly '955 not only does not anticipate the present invention, Kelly '955 actually teaches away from the geometric positioning of the present invention. The rejection of claim 1 over Kelly '955 is improper and should be withdrawn.

Claims 2 – 8, 10 – 17 and 22 are dependent upon claim 1. The rejections of these claims over Kelly '955 is improper for the same reasons as applied to claim 1 and should be withdrawn.

Schulman '474 is cited only for eddy cuts and does not add to the base rejections of these claims.

With the amendment to claim 1, the rejections of claims 1 – 8, 10 – 17 and 22 over Kelly '955 (claim 12 also in view of Schulman '474) are improper and should be withdrawn. Claims 1 – 8, 10 – 17 and 22 should now be allowable.

Rejections Under 35 USC § 103 over Zarinetchi '431 in view of Schulman '474

Claims 23 – 25 have been rejected under 35 USC § 103 over Zarinetchi '431 in view of Schulman '474. Claims 23 – 25 have been canceled, without prejudice. Thus, these rejections have been rendered moot.

Claims 18 – 21

It is noted that claims 18 – 21 have not been rejected over any of the cited art. Accordingly, claims 18 – 21 have be rewritten in independent form and, with the curing the 35 USC § 112 rejections, should now be allowable.

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Summary

With the amendment to claim 1, the rewriting of claims 18 – 21 in independent form and the cancellation of claims 23 – 25, all of the pending claims in this application should be allowable, this application should be in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully Submitted,

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